

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 851219-BB

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF APPROXIMATELY 1,033 ACRES OF LAND IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; PROVIDING A SERVICE PLAN; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds that notice of two public hearings for the annexation of the territory described below was published in a newspaper of general circulation in the City of Austin and in the area to be annexed on October 6, 1985; and,

WHEREAS, the two public hearings concerning this proposed annexation were held on October 16 and 17, 1985, at the time and place specified in the published notice described above and that the public hearings were concluded after providing all interested persons an opportunity to be heard; and,

WHEREAS, the City Council finds that no public hearing in the area proposed to be annexed is required because written protest in accordance with the provisions of applicable state law was not received by the City Clerk; and,

WHEREAS, the management of development and growth in and nearby the City of Austin is of vital importance to the health, welfare, and public safety of the current and future residents of the City of Austin; and,

WHEREAS, the City of Austin may assert jurisdiction under its ordinances only in areas annexed to the City or included within its extraterritorial jurisdiction; and,

WHEREAS, the City Council is of the opinion that annexation of the territory described below will serve the interests of the current and future residents of the City of Austin; Now, Therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The hereinafter described territory, totalling approximately 1,033 acres, lying adjacent to and adjoining the City of Austin is hereby annexed to the City of Austin and said territory shall be included within the boundary limits of the City of Austin, and the present boundary limits of the City of Austin are hereby altered and amended so as to include said area within the corporate limits of the City of Austin, said land being described in Exhibit "A" attached hereto and made a part hereof.

PART 2. The said territory and area so annexed shall be a part of the City of Austin, and the property so added hereby shall bear its pro-rata share of the taxes levied by the City of Austin, and the inhabitants

CITY OF AUSTIN, TEXAS

thereof shall be entitled to all the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Austin.

PART 3. The municipal services to be provided to the territory annexed by PART 1 hereof are set forth on the "Service Plan" attached hereto and made a part hereof as Exhibit "B".

PART 4. Should any section or part of this ordinance be held unconstitutional, illegal or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity or ineffectiveness of such section or part shall in no wise affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect; and should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Austin, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to all of the remainder of such area, and the City Council hereby declares it to be its purpose to annex to the City of Austin every part of the area described in PART 1 of this ordinance, regardless of whether any other part of such described area is hereby effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in PART 1 of this ordinance to be hereby annexed to the City of Austin any territory which is presently part of and included within the lawful city limits or extraterritorial jurisdiction of any other city, or which for any other reason is territory which the City of Austin is prohibited by law from annexing, the same is hereby excluded and excepted from the territory hereby annexed as fully as if such excluded and excepted area was expressly described herein.

PART 5. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

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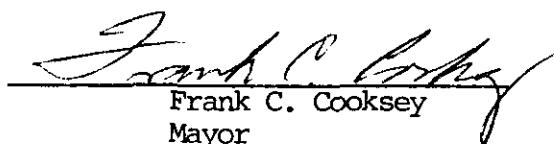
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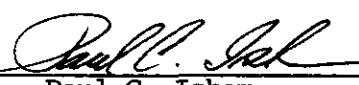
December 19, 1985

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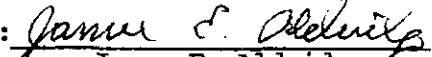
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Frank C. Cooksey
Mayor

APPROVED: 

Paul C. Isham
City Attorney

ATTEST: 

James E. Aldridge
City Clerk

AFM/saf

THENCE, continuing with the proposed full purpose corporate limit line of the City of Austin, same being the most northerly east line of said Nash Phillips/Copus, Inc., tract of land, which line is the most southerly west line of said Storm tract of land, in a southerly direction to the southwest corner of said Storm tract of land;

THENCE, continuing with the proposed full purpose corporate limit line of the City of Austin, same being the south line of said Storm tract of land in an easterly, northerly and easterly direction passing the southeast corner of said Storm tract of land, same being the southwest corner of that certain 79.20 acre tract of land conveyed to Scott Storm by warranty deed dated August 4, 1983, of record in Volume 8200 at Page 124 of the Real Property Records of Travis County, Texas, to the southeast corner of said Storm tract of land described in Volume 8200 at Page 124, same being the northeast corner of the herein described tract of land, and which point is in the west line of Austin-Dessau Road;

THENCE, continuing with the proposed full purpose corporate limit line of the City of Austin, same being said west line of Austin Dessau Road, in a southerly direction to the southeast corner of the herein described tract of land, same being a point in the aforesaid centerline of Walnut Creek;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said centerline of Walnut Creek in a northwesterly direction to the point of beginning.

FIELD NOTES: Carlos Mosqueda
8/2/85

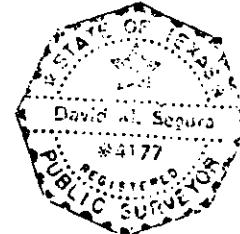
APPROVED:

David M. Segura
David M. Segura, R. P. S.
Assistant Chief Surveyor
Department of Public Works

REVISED: Carlos Mosqueda
11/01/85

References
FF 999 (M)

Austin Grid: N-33, N-32, N-39-1
M-34-2 & 3, M-33-2 & 3, N-31-1 and M-31-2
2-H 1336 Valleyside Heights, Sec. One
2-A-1130 W. J. Kruger Sub.
2-A-1445 Copperfield, Sec. 1, Ph. A
2-A-1436 Copperfield, Sec. 1, Ph. B
2-A-1536 Copperfield, Sec. 1, Ph. C
2-A-1582 Copperfield, Sec. 1, Ph. D
2-A-1581 Copperfield, Sec. 1, Ph. E
2-A-6882 Copperfield, Sec. 1, Ph. F
2-A-1900 Copperfield, Section Three C
2-A-1904 Copperfield, Section Three B
2-A-1897 Copperfield, Section Three D
2-A-1784 Copperfield, Section Two B
2-I-793 Copperfield, Section Two A
2-A-1880 Copperfield, Section Two D
2-A-1843 Copperfield, Section Two C
2-A-1846 Copperfield, Section Three A



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C7a-85-024r1

C7a-85-024
Area to be annexed
(1,033 acres of land
out of the J. A. G. Brooks
Survey No. 79, Thos. H. Mays
Survey No. 89, John M. Swisher
Survey, Memucan Hunt Survey
No. 88, Alexander Walters
Survey No. 67 and other
surveys)
(Portions of Yager Lane,
Copperfield Drive and
Thompkins Drive, platted
and unplatted land)

EXHIBIT "A"

FIELD NOTES

FIELD NOTES FOR 1,033 ACRES OF LAND, SAME
BEING OUT OF AND A PART OF THE J. A. G.
BROOKS SURVEY NO. 79, THOS. H. MAYS
SURVEY NO. 89, JOHN M. SWISHER SURVEY,
MEMUCAN HUNT SURVEY NO. 88, ALEXANDER
WALTERS SURVEY NO. 67 AND OTHER SURVEYS
IN TRAVIS COUNTY, TEXAS, WHICH 1,033
ACRES OF LAND ARE TO BE TAKEN INTO AND
MADE A PART OF THE CITY OF AUSTIN, TRAVIS
COUNTY, TEXAS, AND WHICH 1,033 ACRES OF
LAND ARE MORE PARTICULARLY DESCRIBED BY
METES AND BOUNDS AS FOLLOWS:

BEGINNING at the intersection of the present limited purpose
corporate limit line of the City of Austin as adopted by ordinance dated
September 13, 1984, with the north line of North Oaks, a subdivision of
record in Book 7 at Page 108 of the Plat Records of Travis County, Texas,
which line is the centerline of Walnut Creek, and which point of beginning
is the southwest corner of the herein described tract of land;

THENCE, with said present limited purpose corporate limit
line of the City of Austin as adopted by ordinance dated September 13,
1984, in a northerly direction to an exterior ell corner of the herein
described tract of land, same being a point in the south line of Yager
Lane, which line is the present full purpose corporate limit line of the
City of Austin as adopted by ordinance dated September 13, 1984;

THENCE, with the present full purpose corporate limit line of
the City of Austin as adopted by ordinance dated September 13, 1984, in an
easterly and northerly direction to the northeast corner of that certain
tract of land conveyed to Schlumberger Technology Corporation by warranty
deed dated July 14, 1982, of record in Volume 7801 at Page 335 of the Real
Property Records of Travis County, Texas, same being the most northerly
northwest corner of the herein described tract of land, which point is in
the west line of a county road, and which point is in the proposed full
purpose corporate limit line of the City of Austin;

THENCE, with the proposed full purpose corporate limit line
of the City of Austin in an easterly direction to the northwest corner of
that certain tract of land conveyed to Nash Phillips/Copus, Inc., by
warranty deed dated April 15, 1983, of record in Volume 8074 at Page 874 of
the Real Property Records of Travis County, Texas;

THENCE, continuing with the proposed full purpose corporate
limit line of the City of Austin, same being the north line of said Nash
Phillips/Copus, Inc., tract of land, in an easterly direction to the most
westerly northwest corner of that certain 174.358 acre tract of land
conveyed to Scott Storm by warranty deed dated July 25, 1983, of record in
Volume 8184 at Page 506 of the Real Property Records of Travis County,
Texas;

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

CURRENT PROVIDER AND
LEVEL OF SERVICE

FUNCTION POST ANNEXATION
INTERIM SERVICE PERMANENT SERVICE

FIRE According to the Austin Fire Department, the Travis County Rural Fire Prevention District serves the area from Station #4 located on North Lamar within an average response time of four minutes.

The City will enter into a first responder service contract with the current provider which becomes effective on the date of annexation. The contract will be conditional upon annexation of the area and will cover only that portion of the area which the current provider can serve faster than the nearest City fire station. The service will be monitored for one year and the contract will be renegotiated each year based on the provider's performance. The contract will terminate when the City can provide equivalent service.

The Fire Department anticipates proposing funding in FY 87-88 for a single company station to be located on Dessau Rd., 1/4 mile north of Sprinkle Cutoff. Depending on development trends in the area, a different location may be more appropriate to provide a necessary level of service. If funded, the station could initiate operations in FY 89-90 and serve the area within the City's standard three minute average response time.

EXHIBIT "B"

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

<u>FUNCTION</u>	<u>CURRENT PROVIDER AND LEVEL OF SERVICE</u>	<u>POST ANNEXATION INTERIM SERVICE</u>	<u>PERMANENT SERVICE</u>
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EMS The City of Austin EMS Department currently serves this area through a contractual agreement with Travis County. The area is served within the five minute average response time applicable within the City.

The City will continue to serve the area within the five minute average response time.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

FUNCTION CURRENT PROVIDER AND LEVEL OF SERVICE

Police protection

According to the Austin Police Department, the Travis County Sheriff's Office serves this area with an average response time of twenty-five minutes for any type of call.

Not Applicable

FUNCTION POST ANNEXATION INTERIM SERVICE

The Austin Police Department will respond to calls in the area on the effective date of annexation. Average response times will be five minutes for emergencies and nine minutes for other calls.

Other services offered by the Austin Police Department include the following:

- o Services for crime victims;
- o Extensive crime prevention programs; and
- o Traffic enforcement capabilities (i.e., motorcycle and traffic divisions) and radar in all patrol cars.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

<u>FUNCTION</u>	<u>CURRENT PROVIDER AND LEVEL OF SERVICE</u>	<u>POST ANNEXATION INTERIM SERVICE</u>	<u>PERMANENT SERVICE</u>
Road and Street Maintenance	According to staff at Travis County Pct. #1, the following is the current level of service to the area: Road and street surfaces are inspected at least once per year, and resurfaced on an as needed basis. Residential street patching (e.g., pot holes) is provided within one week after receipt of report.	Not Applicable	The city will provide this service within sixty days of the effective date of annexation. The road and street system is on a five year maintenance program to resurface five percent of the street system per year. Inspections are done at least once per year. Residential street patching is done within one week after receipt of report. Arterials are patched on a same day response.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

CURRENT PROVIDER AND
LEVEL OF SERVICE

POST ANNEXATION
INTERIM SERVICE

PERMANENT SERVICE

FUNCTION

Street Lighting The area lies within the City of Austin's Electric Service Area.

Most of the area proposed for annexation does not have urban level street light installation.

Engineering studies will be done in existing subdivisions without street lights to determine the number of street lights required and the distribution system capacity to carry such street lights. After costs are identified, the Electric Department will request the required funding for these improvements in the next CIP.

Street light installation will be prioritized to take advantage of fees held by the City for recently developed subdivisions.

Lighting replacement is on the basis of one scheduled replacement every six years. Street lights reported "out" are replaced usually no later than the next day.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

CURRENT PROVIDER AND
LEVEL OF SERVICE

FUNCTION

Drainage Improvements & Maintenance

Travis County reports that it is responsible for drainage improvements and maintenance projects only when they are associated with a street or roadway which the County has accepted as its responsibility. Drainage improvements and maintenance of waterways not associated with County roadways are not the County's responsibility.

NOT APPLICABLE

The City Public Works Department will provide this service within 60 days of the effective date of annexation. Waterway maintenance is performed on storm sewer pipes, creek flow lines, and low water street crossings. Storm sewer pipe inlets are cleared of obstructions, and creek flow lines are cleared and brought into their proper channels when such problems are reported to the Public Works Department. Low water crossings are identified and closed upon approach of high water flows. Creek channel maintenance with heavy equipment varies and is dependent on channel characteristics.

POST ANNEXATION
INTERIM SERVICE

PERMANENT SERVICE

Waterways in existing subdivisions in need of redesign and construction will be corrected after detailed engineering studies are completed, costs are identified, and funding is secured through the CIP Budget.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

CURRENT PROVIDER AND
LEVEL OF SERVICE

Solid Waste
Collection

According to the City Public Works Department, Clawson Disposal provides twice weekly collections at a cost of \$8.00 per month.

POST ANNEXATION
INTERIM SERVICE

The Public Works Department will consult with the residents and attempt to provide continuous service during the period of transition from private to city haulers.

FUNCTION

The same service now provided within the City will be extended to the annexed area within 60 days of the effective date of annexation.

Residential collection is twice weekly by City personnel at a cost of \$7.60 per month. Commercial customers may select the City or a private hauler licensed by the City. The City does not, however, provide dumpster service to commercial customers.

PERMANENT SERVICE

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

<u>FUNCTION</u>	<u>CURRENT PROVIDER AND LEVEL OF SERVICE</u>	<u>POST ANNEXATION INTERIM SERVICE</u>	<u>PERMANENT SERVICE</u>
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Library Services Residents of the area proposed for annexation currently benefit from all free services of the City of Austin Public Library System except the privilege of checking out books. This service is nevertheless available for a \$24.00 annual fee per Library card holder.

Not Applicable

Library services to the area are available from the Little Walnut Creek Branch Library located on Rundberg Lane.

Residents of the area proposed for annexation will be able to check out books free of charge.

ANNEXATION SERVICE PLAN

<u>CASE NAME:</u>	Northeast Area		
<u>CASE NUMBER:</u>	C7a-85-024		
<u>FUNCTION</u>	<u>CURRENT PROVIDER AND LEVEL OF SERVICE</u>	<u>POST ANNEXATION INTERIM SERVICE</u>	<u>PERMANENT SERVICE</u>
Health	The City/County Health Department provides the following services to all Travis County residents: o Immunization; o Consultation on communicable diseases; o Diagnosis and treatment of TB and sexually transmitted diseases; o Indigent health care (including rural MAP); o Family planning and maternal health; o At-risk and wellness care for infants and children; o Nutrition and health education; o In-home health and homemaker care; o Pharmacy service; o Social work services; o Animal control; o Permitting and inspection of septic systems, restaurants, food stores and vendors, public swimming pools, and land fills; o Day care center and nursing home inspection; o Subdivision review; o Investigation of sanitation law violations; o Training and certification of food service managers; and o Vector (mosquito and insect) control.	Not Applicable	The Health Department will provide the following additional services within 60 days of the effective date of annexation: o Full City Medical Assistance Program (MAP) services; o Copies of birth and death records; o Inspection and permitting of tourist courts, massage parlors, vending machines, and slop and swill hauling; o Rodent control consultation; and o Handling public health related complaints including water and air pollution, dumping on vacant property, and excessively tall grass and weeds.

ANNEXATION SERVICE PLAN

CASE NAME: Northeast Area

CASE NUMBER: C7a-85-024

<u>FUNCTION</u>	<u>CURRENT PROVIDER AND LEVEL OF SERVICE</u>	<u>POST ANNEXATION INTERIM SERVICE</u>	<u>PERMANENT SERVICE</u>
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W & WW Utility
The City currently provides water service to a majority of the Northeast area; many current units use septic systems for wastewater service.

Not Applicable

Projects currently under construction by the Utility that will reinforce the level of water and wastewater service to the area are listed below:

- o Big Walnut Creek Wastewater Interceptor
- o North Lamar Transmission Main
- o Other improvements that will enhance the Utility's ability to provide service to the area (approved but not designed) include the following:
 - o Northtowne MUD water improvements
 - o Franklin 1800 approach main (water)

Permanent wastewater service will become available to the area when the Walnut Creek Interceptor is completed.